

Electronically Filed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Appln of: Georgi HVICHIA :
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Appln. No.: 10/587,053 : Group Art Unit: 1797
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Examiner: William H. BEISNER : Conf. No.: 4866
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Filing Date: 11 December 2006 : Attorney Docket No.: 10-1430 (PI-1US)
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Title: Microstructure for Particle and Cell Separation, Identification, Sorting, and Manipulation

APPLICANT'S INTERVIEW SUMMARY

The Applicant appreciates the courtesy extended by Examiner Beisner during the telephone interview conducted on 27 April 2011. This Applicant's Interview Summary is submitted in conformity with 37 C.F.R. §§ 1.2 and 1.133.

A telephonic interview concerning the patent application referenced above was initiated by a request by the Applicant's undersigned representative and was conducted on 27 April 2011, from about 2:00 to 2:15 p.m. Eastern time. The participants in the interview were Examiner William H. Beisner and Applicant's representative Gary D. Colby of the Philadelphia office of the Dilworth Paxson law firm.

Prior to the interview, an informal communication was forwarded to Examiner Beisner by the Applicants' undersigned representative. That informal communication included several draft claim proposals and a brief proposed agenda for the interview. During the interview, the Applicant's representative briefly summarized the Applicant's intent to amend the pending independent claims in a manner that was fully supported by the specification, while remaining free of the prior art. The representative also indicated that commercial considerations made it desirable for the Applicants to obtain a patent in relatively short order, even if for less than the entirety of the patent rights to which they may be entitled.

During the balance of the interview, the participants discussed claims that might be considered and allowed after final. Amendments proposed to be made to claim 31 were discussed, especially in the context of paragraph [0035] of the specification. The Applicant's representative respectfully believes that agreement was reached to the effect that the amendments ultimately made to claim 31 in the Amendment After Final Rejection and Request for Reconsideration submitted herewith found support in at least paragraph [0035] of the specification, the important consideration being that the second step of the Applicant's claimed apparatus be able to 'trap' cells or particles having a size less than the height of the space between the second step and the rest of the apparatus, while the width of that space was greater than its height -- such that fluid flow past such a trapped cell/particle could continue.

No final agreement was reached regarding allowability of any specific claim. The Examiner indicated that he would need to confirm that the amended claim remained free of the prior art on the basis of which rejections were previously made but withdrawn. The Examiner suggested that comments on that issue in the Applicant's response could expedite reconsideration. The Applicant's representative indicated that such comments would likely be included, to the extent they were deemed helpful to the Examiner's reconsideration.

The interview concluded with the representative indicating that the Applicant would be consulted prior to filing any further formal papers and expressing his appreciation for the Examiners' time and consideration.

Respectfully submitted,

Georgi HVICHIA

10 May 2011
(Date)

By: /Gary D. Colby/
GARY D. COLBY, Ph.D., J.D.
Registration No. 40,961
DILWORTH PAXSON, LLP
Customer No. 27730
1500 Market Street, Suite 3500E
Philadelphia, PA 19102-2101
Telephone: **215-575-7075**
Facsimile: 215-575-7200
E-Mail: gcolby@dilworthlaw.com